

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
JULY 21, 2003**

The Tippecanoe County Commissioners met on Monday, July 21, 2003 at 10:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson and Member John L. Knochel. Also present were: Auditor Robert A. Plantenga, County Attorney David W. Luhman, and Secretary Pauline E. Rohr. (Vice President Ruth E. Shedd and Commissioners' Assistant Jennifer Weston were absent.)

President Benson called the meeting to order and led the Pledge of Allegiance.

***CORRECTION OF RESOLUTION NUMBER***

At the July 15, 2003 Special Meeting, Resolution 2003-22-CM was incorrectly numbered 2003-21-CM.

- Commissioner Knochel moved to correct the Resolution number Establishing Cumulative Bridge Fund Rate Under IC 8-16-3-1 et seq. to 2003-22-CM, seconded by Commissioner Benson; motion carried.

***APPROVAL OF MINUTES***

Commissioner Knochel moved to approve the minutes of the July 7, 2003 Regular Meeting, the July 8, 2003 Special Joint Meeting with the County Council, and the July 15, 2003 Special Meeting, seconded by Commissioner Knochel; motion carried.

***APPROVAL OF ACCOUNTS PAYABLE VOUCHERS***

- Upon the recommendation of Auditor Plantenga, Commissioner Knochel moved to approve the Accounts Payable Vouchers as submitted, seconded by Commissioner Benson; motion carried.

***HIGHWAY: Executive Director Mark Albers***

**SUPPLEMENTAL AGREEMENT NO. 1: Kirkpatrick Ditch and Bridges 60, 61, & 62**

Mr. Albers presented this Supplemental Agreement No. 1 with H. Stewart Kline & Associates, Inc. to add design and construction inspection of a temporary runaround at Bridge No. 62. This will increase the agreement \$25,000 for time performed to bring the total to a not-to-exceed amount of \$225,000.

- Commissioner Knochel moved to approve Supplemental Agreement No. 1 with H. Stewart Kline, seconded by Commissioner Benson; motion carried.

**QUOTES: Pavement Marking Program**

Mr. Albers reported quotes were received for Reflectorized Paint for the Pavement Marking Program and recommended awarding to Interstate Road management Corp.:

Interstate Road Management Corp.	\$69,970
NES Traffic Safety, LP	\$85,750

- Commissioner Knochel moved to accept the quote from Interstate Road Management Corp. in the amount of \$69,970 for the Pavement Marking Program, seconded by Commissioner Benson; motion carried.

**GRANT OF RIGHT OF WAY: CR 430 S Project**

Key #146-05400-0444: Parcel #18: A part of the SW ¼ of the NW ¼ of Sec 16, Twp 22 N, R 4 W in Wea Twp. from Daniel J. Altepeter.

- Commissioner Knochel moved to approve the Grant of Right-of-Way for the CR 430 S Project, seconded by Commissioner Benson; motion carried.

### **PARTIAL RELEASE OF MORTGAGE: CR 200 N Project**

Mr. Albers noted the Warranty Deed for this property was accepted at the May 19, 2003 meeting.

- Commissioner Knochel moved to approve the Partial Release of Mortgage for Parcel #5 for Wendell L. and Thursa Whitaker for the CR 200 N Project, seconded by Commissioner Benson; motion carried.

### **BONDS:**

Mr. Albers submitted the following bonds for acceptance:

- 3 year Construction Maintenance Bond #151027 in the amount of \$5,000 for Sunburst Excavation, Inc. for work on the right-of-way of Fretz Lane in Ridge SD on County Line Road East.
  - 3 year Construction Maintenance Bond #5973240 in the amount of \$5,000 for A & K Construction, Inc. for work on the right of way of CR 200 S @ Raintree Apartments.
  - 3 year License and Permit Bond #PRS1045282 in the amount of \$5,000 for David Meharry DBA Coal Creek for excavation work in County right-of-ways.
- Commissioner Knochel moved to accept the Bonds as submitted, seconded by Commissioner Benson; motion carried.

### **APPLICATION FOR PERMIT TO CLOSE A STREET: Buckingham Dr.**

Mr. Albers reported a request to close 109-117 Buckingham Dr. from 8:00 A.M. to 4:30 P.M. on Saturday, August 16, 2003, for a basketball party for neighbors and friends. He said four signs will direct traffic to an alternate route through the subdivision.

- Commissioner Knochel moved to approve the request to close a portion of Buckingham Dr. on August 16, 2003, seconded by Commissioner Benson; motion carried.

### **LETTERS OF UNDERSTANDING: INDOT**

Mr. Albers submitted two Letters of Understanding with INDOT (Indiana Department of Transportation) regarding detours when SR 43 is closed next Spring for the State's Culvert Replacement Program. The official local detour will utilize old SR 25 and the unofficial local detour will use Soldiers Home Road. INDOT will reimburse the County for the cost related to damage repair on the portions of these roads used as detours.

- Commissioner Knochel moved to approve the two Letters of Understanding with INDOT regarding detours during the closure of SR 43, seconded by Commissioner Benson; motion carried.

### **CERTIFICATES OF INSURANCE**

- ♦ United Farm Family Mutual Insurance Company for Brettnacher Construction Inc.
- ♦ Erie Insurance Company, Erie Insurance Property & Casualty Company, Erie Insurance Exchange, Flagship City Insurance Company for Mennen Builders
- ♦ American Home Assurance Co., Illinois National Insurance Co, Ins Co State of Penn for Verizon North Inc.
- ♦ Sheffield Insurance Corporation for Global Crossing Telecommunications, Inc.
- ♦ Westfield Insurance Company, Amerisure Insurance Company for C.P. Morgan Communities; TMF, Ltd.
- ♦ Cincinnati Insurance Company, Cincinnati Casualty Co for J & S Contractors Inc.
- ♦ Indiana Farmers & Western Surety for David A Meek, Inc.
- ♦ Cincinnati Insurance Co, Cincinnati Casualty Company for Homes by Prairie Lafayette LLC
- ♦ State Farm Fire and Casualty Company for Lynn Strycker

- ♦ Indiana Farmers for Jim Kiracofe
- ♦ Indiana Insurance Companies, Auto-Owners Insurance Company, AmComp Assurance Corporation, Travelers Insurance Group for Smith Bros. Builders & Supply, Inc.
- ♦ National Union Fire Insurance Co. of Pitts, Lexington Insurance, American Home Assurance Company, Allianz Insurance Company for Coachmen Industries, Inc.
- ♦ Admiral Insurance, Company, Colonial County Mutual Insurance Comp, Lloyds of London for Roadmasters Transport Co., Inc.
- ♦ Harleysville Mutual Company for Interstate Road Management Corp.
- ♦ EMC Insurance Company for Lighthouse Home Center, Inc.
- ♦ Zurich Small Business for David Meharry
- ♦ Indiana Insurance Group for Cornerstone Homes, Inc.
- ♦ General Casualty Insurance Co for Lidester Homes, LLC
- ♦ Westfield Insurance Company, Accident Fund Company for Mussche Excavating, Roger Mussche dba
- ♦ General Casualty Insurance Co, Zenith Insurance Company for R & W Contracting, Inc.
- ♦ Amerisure Companies for Custom Concrete Co., Inc., JMC, LLC dba Custom Transport of Indiana, Inc, Custom Waterproofing, LLC

***JAIBG RENEWAL: Superior Court III Fiscal Officer Kathy Timberlake***

Ms Timberlake requested approval of the Indiana Criminal Justice Institute JAIBG (Juvenile Accountability Incentive Block Grant) renewal application. Units of local government sign off their grants to finance three of Superior Court III's programs. Funding this year is reduced to \$3.9 million from last year's \$4.6 million and Ms Timberlake expects this trend to continue. Within the next two years, she expects Tippecanoe County's funding will drop approximately \$7,000. JAIBG is currently funding a SHOCAP Officer, a small portion of the Surveillance Officer, and a small portion of the JAMS Program. Since SHOCAP will always be a priority, she said they will have to determine if the Surveillance Officer or JAMS will lose funding from the grant next year.

- ♦ Commissioner Knochel moved to approve the JAIBG renewal application, seconded by Commissioner Benson; motion carried.

***PUBLIC HEARING: Ordinance 2003-37-CM: Petition to Vacate a Drainage, Utility, and Access Easement in Willowood E SD: Ronald M Baker***

Ordinance 2003-37-CM will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Representing the petitioner, Attorney Matt McQueen requested approval of Ordinance 2003-37-CM to vacate the 50' platted drainage, utility, and access easement so Mr. Baker can use the additional setback to the north part of his property. Mr. McQueen submitted Proofs of Publication to Attorney Luhman.

Area Plan Assistant Director Sallie Fahey said Willowood SD has been zoned R1 residential zoning for some time and, in her opinion, is becoming ripe for development. She believes it has not been developed because it is actively farmed, and there is no sanitary sewer although she said the City of Lafayette is actively working to get it there. She explained that in 1983 the developer proposed building a stub street for future development but showed no interest in doing so by 1987. Area Plan was in agreement as long as the easement remained so future development could occur through the stub street. Mrs. Fahey said Area Plan and the Staff recommend continuing the stub street because of the high likelihood of additional development to the east of this property.

President Benson asked for public comment but there was none.

- Commissioner Knochel moved to approve Ordinance 2003-37-CM on first reading, seconded by Commissioner Benson.

President Benson commented that Area Plan's recommendation is valid but further development has not happened in approximately fifteen years.

Auditor Plantenga recorded the vote:

KD Benson    Yes  
John Knochel    Yes  
Ruth Shedd    Absent

- The motion to approve Ordinance 2003-37-CM on first reading passed 2 – 0.
- Commissioner Knochel moved to suspend the rules and allow a vote on second reading the same day presented, seconded by Commissioner Benson; motion carried.
- Commissioner Knochel moved to approve Ordinance 2003-37-CM on second reading, seconded by Commissioner Benson.

Auditor Plantenga recorded the vote:

John Knochel    Yes  
KD Benson    Yes  
Ruth Shedd    Absent

- The motion to approve Ordinance 2003-37-CM on second reading passed 2 – 0.

***SHERIFF/E-911: New Position Requests: Sheriff William "Smokey" Anderson and E-911 Director Capt. Mark Kirby***

Sheriff Anderson requested two (2) new Dispatcher positions for E-911 to supplement the City of West Lafayette's Communications operations. He said West Lafayette's current practice of supplementing their Dispatch with sworn police officers for 24/7 coverage will create a hardship when their Communications Operations relocate to the Jail in early 2004. This move will be a first step toward the eventual consolidation of all Communications operations within the County. Sheriff Anderson said E-911 will fund the two positions.

- Commissioner Knochel moved to approve the two new Dispatcher positions for E-911, seconded by Commissioner Benson; motion carried.

***WEATHER UPDATE: Emergency Management Director Steve Wettschurack***

**STORM ACTIVITY**

Mr. Wettschurack reported some structural damage but no personal injuries resulted from the storm that went through the 18<sup>th</sup> Street and Teal Road area in southern Lafayette at approximately 4:00 A.M. this morning. He said representatives from the National Weather Service at Indianapolis will be arriving later today to assess the type of storm. Nothing was detected on radar for Tippecanoe County but, in his opinion, a funnel cloud may have touched down. He said downed tree limbs, power outage, and demolished bleachers at Jefferson High School Football field that rolled over a chain link fence were the most severe result. He commented that the damage could have been much greater since this area is just south of the Tippecanoe County Fairgrounds where the 4-H Fair is in progress.

**FLOOD UPDATE**

Mr. Wettschurack said they are still waiting on the water to recede before structural damage can be fully determined. Water is still covering roads and bridges may be damaged due to log jams and other debris. The Lafayette Parks' Department gave a conservative estimate of \$430,000 damage, but they have not completed their full assessment. The County Parks' Department is assessing its damage. To receive Federal Funds, he said we have to be above a plateau which is based on \$2.75 per capita or \$408,000 for Tippecanoe County. At that rate, he thinks Lafayette's estimate has already put us above the plateau. FEMA staff will continue to take claims at the

629 Building for at least two more weeks.

Commissioner Knochel commented he has never seen such devastation to crops. Since water covered the nearly full grown corn, he predicted the corn crop will not recover. He noted that some fields not located in the flood plain were flooded because water backed up into them.

***REPORTS***

Reports from the Clerk and Cary Home are on file in the Commissioners' Office for review.

***PUBLIC COMMENT***

None.

***ADJOURNMENT***

- Upon the motion by Commissioner Knochel and the second by Commissioner Benson, the meeting adjourned.

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**

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KD Benson, President

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Ruth E. Shedd, Vice President

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John L. Knochel, Member

**ATTEST:**

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Robert A. Plantenga, Auditor